



#13

Patent
Attorney's Docket No. 033352-010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
TONY CRUZ, et al.) Confirmation No. 4565
Application No.: 09/978,309) Group Art Unit: 1653
Filed: October 15, 2001) Examiner: Unassigned
For: COMPOSITIONS AND METHODS)
FOR TREATING CELLULAR)
RESPONSE TO INJURY AND)
OTHER PROLIFERATING CELL)
DISORDERS REGULATED BY)
HYALADHERIN AND)
HYALURONANS)

RECEIVED
AUG 19 2002
TECH CENTER 1600/2900

PETITION TO MAKE BIOTECHNOLOGY APPLICATION SPECIAL UNDER 37
C.F.R. § 1.102, MPEP § 708.02, ITEM XII, and MPEP § 1002.02(c)(2)

The Director of Technology Center 1600
Washington, DC 20231

Sir:

Applicant Transition Therapeutics Inc., a small entity, hereby petitions to make this
biotechnology application special.

A Verified Statement Claiming Small Entity Status and a Declaration of Dr. Tony
Cruz accompany this petition.

The requisite fee of \$130.00 under 37 CFR § 1.17(h) is enclosed. Any additional
fee which may be due or any other charges in connection with the submission of this
petition should be charged to Deposit Account No. 02-4800.

A. Statement of Small Entity Status

Enclosed is a Verified Statement Claiming Small Entity Status which includes a statement by the Applicant establishing small entity status.

B. Statement that the Subject of the Present Application Is a Major Asset of Applicant

Enclosed is a Declaration of Dr. Tony Cruz, President and CEO of Applicant, which includes (at paragraph 3) a statement by Dr. Cruz that the subject of the above-referenced application is a major asset of Applicant.

C. Statement that the Development of the Technology Will Be Significantly Impaired If Examination of the Present Patent Application Is Delayed

Enclosed is a Declaration of Dr. Tony Cruz, President and CEO of Applicant, which includes (at paragraph 4) a statement by Dr. Cruz that the development of the technology will be significantly impaired if examination of the above-referenced application is delayed. The Declaration also includes (at paragraph 5) an explanation of the basis for making this statement.

Conclusion:

Applicant submits that it has satisfied all requirements of MPEP § 708.02, item XII and respectfully requests that the above-referenced application be granted "special" status.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Ann Dillahunt
Mary Ann Dillahunt
Registration No. 34,576

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

Date: August 12, 2002